

Docket No.: 213202.00483
Date: October 16, 2008

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: DONALD R. RICCI

Application No.: 10/671,716

For: STENT DELIVERY SYSTEM AND METHOD OF USE

Filed: September 29, 2003

Group Art Unit: 3763

MAIL STOP AF

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated April 16, 2008 of the Primary Examiner finally rejecting Claims 25-28, 30-31 and 33-50.

The items checked below are appropriate.

1. ☒ A Petition for a three-month extension of time to respond to the final rejection, together with the \$555.00 extension fee under 37 C.F.R. § 1.17, is being filed concurrently herewith.
2. ☐ A Petition for a two-month extension of time to respond to the final rejection, together with the \$__ extension fee under 37 C.F.R. § 1.17.
3. ☐ A Petition for an additional one-month extension of time to take further action, together with the \$__ extension fee under 37 C.F.R. § 1.17, is being filed concurrently herewith.
4. ☒ Notice of Appeal Fee

☒ Fee \$270.00

☐ Enclosed

☐ Not required (fee paid in prior appeal)

☒ Deposit Account No. 50-1710

5. ☒ The Commissioner is hereby authorized to charge any additional fees due with respect to this filing to Deposit Account No. 50-1710.

6. ☒ Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 625-3507. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/Richard P. Bauer/
Attorney for Applicant
Richard P. Bauer
Registration No. 31,588

PATENT ADMINISTRATOR
KATTEN MUCHIN ROSENMAN LLP
2900 K Street, N.W.
Suite 200
Washington, D.C. 20007-5118